#### **RESOLUTION NO. R-16-02**

A RESOLUTION ACCEPTING EASEMENTS FROM CERTAIN PROPERTY OWNERS IN CONJUNCTION WITH THE PLEASANT VALLEY ROAD IMPROVEMENTS PROJECT FROM NORTH INDIANA AVENUE TO NORTH BRIGHTON AVENUE.

WHEREAS, Easements from certain property owners are necessary for the City to construct public improvements in conjunction with the Pleasant Valley Road Improvements Project from North Indiana Avenue to North Brighton Avenue (TP1411).

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI AS FOLLOWS:

**THAT,** the Easements from property owners attached hereto as Exhibits "D" through "F" are hereby accepted. The easement exhibit labeling is a continuation of the easements submitted and accepted under resolutions R-15-52 and R-15-55.

**Temporary Construction Easement** 

"D" – Sherry L. Robbins

3707 NE 67<sup>th</sup> Terrace

"E" - Randall Court Apartments

6728 N. Randall Court

Standard Drainage and Utility Easement

"F" - Sherry L. Robbins

3707 NE 67<sup>th</sup> Terrace

**FURTHER THAT,** the City Manager of the City of Gladstone is hereby authorized to execute and undertake and perform on behalf of the City of Gladstone, Missouri, the obligations and undertakings set forth in said conveyances; and

**FURTHER THAT**, the City Clerk is hereby directed to record said documents in the Office of the Recorder of Deeds, Clay County, Missouri.

INTRODUCED, READ, PASSED, SIGNED, AND MADE EFFECTIVE BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 11<sup>th</sup> DAY OF JANUARY 2016.

Mayor Bill Garnos

ATTEST:

Ruth E. Bocchino, City Clerk



# Department of Public Works Memorandum

DATE:

January 5, 2016

TO:

Kirk L. Davis, City Manager

FROM:

Timothy A. Nebergall, Director of Public Works

RE:

Pleasant Valley Road Improvements from North Indiana Avenue to North

Brighton Avenue; Project #TP1411

We request that the following easements be submitted to the City Council for acceptance. Easement labeling is a continuation of the easements submitted and accepted under resolutions R-15-52 and R-15-55.

### Temporary Construction Easement

"D" – Sherry L. Robbins

3707 NE 67<sup>th</sup> Terrace

"E" - Randall Court Apartments

6728 N. Randall Court

Standard Drainage and Utility Easement

"F" - Sherry L. Robbins

3707 NE 67<sup>th</sup> Terrace

Please be aware that the above easements represent six (6) out of the fifteen easements necessary to complete this project.

Recorded in Clay County, Missouri

Recording Date/Time: 01/26/2016 at 01:10:07 PM

Instr #: 2016002614

Book: 7646

Page: 57

Type: EASE Pages: 3

Fee: \$30.00 \$ 20160001956

Katee Porter Recorder of Deeds

(Space above reserved for Recorder of Deeds certification)

1. Title: Temporary Construction Easement

2. Date: 1 (1) [6

3. Grantor (s): Sherry L. Robbins

4. Grantee (s): City of Gladstone, Missouri

5. Mailing Address: 7010 North Holmes, Gladstone, MO 64118

# 6. Legal Description:

A PART OF TRACT B OF LOT 26, BLOCK 2, MEADOWBROOK MANOR-SECOND PLAT, A SUBDIVISION IN THE CITY OF GLADSTONE, CLAY COUNTY, MISSOURI, IN THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 51 NORTH, RANGE 32 WEST, AND BEING THE NORTH 15.00 FEET, OF THE EAST 15.00 FEET, AS MEASURED AT RIGHT ANGLES TO THE NORTH AND EAST LINES OF SAID TRACT B OF LOT 26, BLOCK 2. CONTAINING 225 SQUARE FEET MORE OR LESS; AND

A PART OF TRACT B OF LOT 1, BLOCK 2, MEADOWBROOK MANOR-SECOND PLAT, A SUBDIVISION IN THE CITY OF GLADSTONE, CLAY COUNTY, MISSOURI, IN THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 51 NORTH, RANGE 32 WEST, AND BEING THE NORTH 20.00 FEET, OF THE SOUTH 68.00 FEET, OF THE EAST 20.00 FEET, AND ALSO BEING THE NORTH 36.00 FEET, OF THE SOUTH 48.00 FEET, OF THE EAST 45.00 FEET, AS MEASURED AT RIGHT ANGLES TO THE SOUTH AND EAST LINES OF SAID TRACT B OF LOT 26, BLOCK 2. CONTAINING 2,020 SQUARE FEET MORE OR LESS.

7. Reference Book & Page: N/A

## TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT,	Sherry L. Robbins
	(Name)
	3707 NE 67 <sup>th</sup> Terrace, Gladstone, MO 64119
	(Address)
to be gained from the con acknowledge, does hereby of State of Missouri, hereafter	reinafter called the <b>GRANTOR</b> , for and in consideration of One Dollar (\$1.00) and the advantages estruction on and adjacent to the lands hereafter described, the receipt of which is hereby grant, sell, convey and confirm unto the CITY OF GLADSTONE, a municipal corporation of the called <b>GRANTEE</b> , as temporary easement to construct, grade, regrade, or perform any and all con or across the following described land:
CITY OF GLADSTONE, CI TOWNSHIP 51 NORTH, R MEASURED AT RIGHT A	LOT 26, BLOCK 2, MEADOWBROOK MANOR-SECOND PLAT, A SUBDIVISION IN THE LAY COUNTY, MISSOURI, IN THE SOUTHEAST QUARTER OF SECTION 19, ANGE 32 WEST, AND BEING THE NORTH 15.00 FEET, OF THE EAST 15.00 FEET, AS NGLES TO THE NORTH AND EAST LINES OF SAID TRACT B OF LOT 26, BLOCK 2. RE FEET MORE OR LESS; AND
CITY OF GLADSTONE, TOWNSHIP 51 NORTH, R THE EAST 20.00 FEET, A 45.00 FEET, AS MEASUR	LOT 1, BLOCK 2, MEADOWBROOK MANOR-SECOND PLAT, A SUBDIVISION IN THE CLAY COUNTY, MISSOURI, IN THE SOUTHEAST QUARTER OF SECTION 19, ANGE 32 WEST, AND BEING THE NORTH 20.00 FEET, OF THE SOUTH 68.00 FEET, OF ND ALSO BEING THE NORTH 36.00 FEET, OF THE SOUTH 48.00 FEET, OF THE EAST ED AT RIGHT ANGLES TO THE SOUTH AND EAST LINES OF SAID TRACT B OF LOT NG 2,020 SQUARE FEET MORE OR LESS.
construction. Upon complet	replace any fences, pavement, and/or other appurtenances damaged or removed during ion of said construction and improvement, <b>GRANTOR</b> shall have full free and uninterrupted use porary construction easement and the easement rights therein shall cease and no longer be in
	nties, expressed or implied to GRANTEE.
IN WITNESS WHEREOF the 20 CITY OF GLADSTONE	per parties have hereunto set their names to the foregoing, this 14 day of an uary
By: Kirk L. Davis,	City Manager Sherry Robbins
Attest: Ruth Bocchino.	City Clerk
	Page 2 of 3

## **GRANTOR'S ACKNOWLEDGMENT**

STATE OF MISSOURI COUNTY OF Clay ss.	
On this	ted the same as her free act and deed. And the
County, Missouri, the day and year last above write My commission expires March 18, 2019.	and affixed by Notarial Seal at my office in ten.  The property Public Within Said County and State
JENNIFER Notary Publ STATE O	A. STAFFORD ic - Notary Seal F MISSOURI County Supires: March 18, 2019 22 4/5395199
personally appeared Kirk L. Davis to me personally known, who City Manager of the City of Gladstone, Missouri, a municipal corporation, as is the corporate seal of the said corporation and that said instrument was authority of its City Council, and said City Manager acknowledged said corporation.  IN WITNESS WHEREOF, I have hereunto set my hand and affixed County, Missouri, the day and year last above written.	before me, this undersigned Notary Public, to being by me duly sworn, did say that he is the notate that the seal affixed to the foregoing instrument signed and sealed in behalf of said corporation by instrument to be the free act and deed of said my Notarial Seal at my office in
	Clay County My Commission Expires: August 2, 201 Commission #: 14000994

Recorded in Clay County, Missouri

Recording Date/Time: 01/26/2016 at 01:10:07 PM

Instr #: 2016002615

7646 Book:

Page: 58

Type: EASE Pages: 5

Fee:

\$36.00 S 20160001956

(Space above reserved for Recorder of Deeds certification)

1. Title: Standard Drainage and Utility Easement

2. Date:

3. Grantor: Sherry L. Robbins

4. Grantee (s): City of Gladstone, Missouri

5. Mailing Address: 7010 N. Holmes; Gladstone, MO 64118

## 6. Legal Description:

A PART OF TRACT B OF LOT 26, BLOCK 2, MEADOWBROOK MANOR-SECOND PLAT, A SUBDIVISION IN THE CITY OF GLADSTONE, CLAY COUNTY, MISSOURI, IN THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 51 NORTH, RANGE 32 WEST, AND BEING THE NORTH 7.00 FEET, OF THE SOUTH 12.00 FEET, OF THE EAST 45.00 FEET AS MEASURED AT RIGHT ANGLES TO THE SOUTH AND EAST LINES OF SAID TRACT B OF LOT 26, BLOCK 2. CONTAINING 315 SQUARE FEET MORE OR LESS.

7. Reference Book & Page: N/A

#### STANDARD DRAINAGE AND UTILITY EASEMENT

#### KNOW ALL MEN BY THESE PRESENTS:

THAT,	Sherry L. Robbins	
(NAME OR NAMES)		
3707 NE 67 <sup>th</sup> Terrace, Gladstone, MO 64119		
	(ADDRESS)	

of Gladstone, Clay County, Missouri hereinafter called the **GRANTOR**, for and in consideration of One Dollar (\$1.00) and the advantages to be gained from the existence of the facilities and appurtenances through the lands hereafter described, the receipt of which is hereby acknowledged, does hereby grant, sell and convey unto the CITY OF GLADSTONE, a municipal corporation of the State of Missouri, hereafter called **GRANTEE**, an easement or right of way for the location, construction, reconstruction, maintenance, removal, operation and repair of any open drainageway, storm drainage structure, and any and all appurtenances incidental thereto over, under and through the following described tract of land lying, being and situated in the City of Gladstone, Clay County, Missouri, to-wit:

A PART OF TRACT B OF LOT 26, BLOCK 2, MEADOWBROOK MANOR-SECOND PLAT, A SUBDIVISION IN THE CITY OF GLADSTONE, CLAY COUNTY, MISSOURI, IN THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 51 NORTH, RANGE 32 WEST, AND BEING THE NORTH 7.00 FEET, OF THE SOUTH 12.00 FEET, OF THE EAST 45.00 FEET AS MEASURED AT RIGHT ANGLES TO THE SOUTH AND EAST LINES OF SAID TRACT B OF LOT 26, BLOCK 2. CONTAINING 315 SOUARE FEET MORE OR LESS.

TO HAVE AND TO HOLD to same for the aforesaid use with all rights, privileges, appurtenances, and immunities thereto belonging unto the GRANTEE, its successors and assigns for so long as said use shall continue, the GRANTOR hereby covenanting for heirs and successors and assigns unto the GRANTEE, its successors and assigns the following:

1. Said easement will be kept free from buildings and any other structures or obstructions (except sidewalks, roadways, pavement, or curbs) which will interfere with the **GRANTEE** in excavating upon said land for the purpose of laying, constructing, reconstructing, operating, repairing, and maintaining said facilities and appurtenances; and no excavation or fill shall be made and no other operations of any kind or nature shall be performed or authorized by the **GRANTOR** to be performed which will reduce or increase the earth coverage in such manner and to such extent so as to interfere with, or jeopardize or threaten the normal and proper operation and maintenance of said facilities and appurtenances, said facilities at all times to be laid and constructed at a proper depth below any pavement or street surfacing laid out or established at any time along, upon, or over said easement or any portion thereof, and the **GRANTEE** will repair any

damage to fences, pavement, curb or sod in any way arising in connection with the laying, constructing, and repairing of said facilities and appurtenances. By granting this easement, same shall not be considered or construed as prohibiting the **GRANTOR** in the developing of any adjoining property from the laying out, establishing and the constructing of pavement surfacing of roadways, curbing and gutters along, upon, over or across said easement or any portion thereof.

- 2. The right of **GRANTEE**, its agents, servants, employees, or independent contractor to go upon said land, and so much of the **GRANTOR'S** adjoining land as may be reasonably necessary, at any time to excavate or perform other operations for the purpose of laying, constructing, reconstructing, operating, removing, replacing, repairing, or maintaining said facilities and all appurtenances incidental thereto.
- 3. That <u>Sherry L. Robbins</u> is lawfully seized and possessed of the real estate above described, that <u>she</u> has a good and lawful right to convey the same; that it is free from all encumbrances done or suffered by them which would interfere with the rights granted hereunder; and that <u>she</u> forever warrant and defend the title thereto against the lawful claims of all affecting the right and easement granted hereunder.

IN WITNESS WHEREOF, said Grantors do hereunto set	her	_hand	and subscribed	her	_name
to the foregoing, this 11 Hoday of Docum ber, 2015.					

CITY OF GLADSTONE, MO

Charles and the charles are th

**GRANTORS:** 

Sherry L. Robbins

ATTEST:

Ruth Bocchino, City Clerk

# GRANTOR'S ACKNOWLEDGMENT

STATE OF Missouria	
COUNTY OF COUNTY	
appeared Themy L. Robbins	to me known to be the person described herein and who executed the ged that he executed the same as her free act and deed. And the said
Sherry L. Robbins further de	clares herself to be unmarried.  hereunto set my hand and affixed my notarial seal at my office in CLAY
County, Mi	ssouri, the day and year last above written.
JENNIFER A. STAFFORD  Notary Public - Notary Seal  STATE OF MISSOURI  Clay County  My Commission Expires: March 18, 2019  Commission #15395199	Notary Public within said County/St.
My commission expires March	18, 2019.

# GRANTEE'S ACKNOWLEDGMENT

On this	ment is the corporate seal of the said corporation said corporation by authority of it City Council,
IN WITNESS WHEREOF, I have hereunto set my har in County, Missouri, the day and year	last above written.
	Panula De Smetke Notary Public Within Said County/St.
My commission expires: $8/2/18$ .	PAMELA DEE SMITKA Notary Public - Notary Seal STATE OF MISSOURI Clay County My Commission Expires: August 2, 2018 Commission #: 14000994

Recorded in Clay County, Missouri

Recording Date/Time: 03/02/2016 at 02:27:17 PM

Instr #: 2016006253

Book: 7664 Page: 110

Type: EASE Pages: 5

Fee: \$36.00 S 20160004913



Katee Porter Recorder of Deeds

(Space above reserved for Recorder of Deeds certification)

1. Title: Temporary Construction Easement

2. Date: January 11, 2016

3. Grantor (s): Randall Court Ventures, LLC

4. Grantee (s): City of Gladstone, Missouri

5. Mailing Address: 7010 North Holmes, Gladstone, MO 64118

#### 6. Legal Description:

A PART OF TRACT A, MEADOWBROOK MANOR-SECOND PLAT, A SUBDIVISION IN THE CITY OF GLADSTONE, CLAY COUNTY, MISSOURI, IN THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 51 NORTH, RANGE 32 WEST, AND BEING THE EAST 10.00 FEET, OF THE SOUTH 50.00 FEET, AS MEASURED ALONG AND COINCEDENT TO A THREE DEGREE (D=3°) HIGHWAY CURVE TO THE NORTHEAST AND BEING THE EAST LINE OF SAID TRACT A, MEADOWBROOK MANOR-SECOND PLAT. CONTAINING 503 SQUARE FEET MORE OR LESS, AND;

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 19, TOWNSHIP 51 NORTH, RANGE 32 WEST, BEING A FOUND BRASS CAP STAMPED "EVANS", PER CERTIFIED LAND CORNER RECORD DOCUMENT NUMBER 600-53653; THENCE N89°21'30"W ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 19, A DISTANCE OF 1461.80 FEET TO A POINT ON THE EXISTING WESTERLY RIGHT-OF-WAY LINE OF NE. ANTIOCH ROAD, AS NOW ESTABLISHED, AND ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING N89°21'30"W ALONG SAID SOUTH LINE, A DISTANCE OF 30.68 FEET; THENCE N12°44'45"E, A

Page 1 of 5

DISTANCE OF 157.60 FEET; THENCE S77°15'15"E, A DISTANCE OF 5.00 FEET; THENCE N12°44'45"E, A DISTANCE OF 13.47 FEET; THENCE S64°54'06"E, A DISTANCE OF 25.59 FEET TO A POINT ON THE EXISTING WESTERLY RIGHT-OF-WAY LINE OF SAID NE. ANTIOCH ROAD; THENCE S12°44'45"W ALONG SAID EXISTING WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 159.17 FEET TO THE POINT OF BEGINNING. CONTAINING 4,900 SQUARE FEET MORE OR LESS.

7. Reference Book & Page: N/A

#### TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

hereinafter, called the **GRANTORS**, for and in consideration of One Dollar (\$1.00) and the advantages to be gained from the construction on and adjacent to the lands hereafter described, the receipt of which is hereby acknowledged, do hereby grant, sell, convey and confirm unto the CITY OF GLADSTONE, a municipal corporation of the State of Missouri, hereafter called **GRANTEE**, a temporary easement to construct, grade, regrade, or perform any and all other related necessary work on or across the following described land:

A PART OF TRACT A, MEADOWBROOK MANOR-SECOND PLAT, A SUBDIVISION IN THE CITY OF GLADSTONE, CLAY COUNTY, MISSOURI, IN THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 51 NORTH, RANGE 32 WEST, AND BEING THE EAST 10.00 FEET, OF THE SOUTH 50.00 FEET, AS MEASURED ALONG AND COINCEDENT TO A THREE DEGREE (D=3°) HIGHWAY CURVE TO THE NORTHEAST AND BEING THE EAST LINE OF SAID TRACT A, MEADOWBROOK MANOR-SECOND PLAT. CONTAINING 503 SQUARE FEET MORE OR LESS, AND;

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 19, TOWNSHIP 51 NORTH, RANGE 32 WEST, BEING A FOUND BRASS CAP STAMPED "EVANS", PER CERTIFIED LAND CORNER RECORD DOCUMENT NUMBER 600-53653; THENCE N89°21'30"W ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 19, A DISTANCE OF 1461.80 FEET TO A POINT ON THE EXISTING WESTERLY RIGHT-OF-WAY LINE OF NE. ANTIOCH ROAD, AS NOW ESTABLISHED, AND ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING N89°21'30"W ALONG SAID SOUTH LINE, A DISTANCE OF 30.68 FEET; THENCE N12°44'45"E, A DISTANCE OF 157.60 FEET; THENCE S77°15'15"E, A DISTANCE OF 5.00 FEET; THENCE N12°44'45"E, A DISTANCE OF 13.47 FEET; THENCE S64°54'06"E, A DISTANCE OF 25.59 FEET TO A POINT ON THE EXISTING WESTERLY RIGHT-OF-WAY LINE OF SAID NE. ANTIOCH ROAD; THENCE S12°44'45"W ALONG SAID EXISTING WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 159.17 FEET TO THE POINT OF BEGINNING. CONTAINING 4,900 SQUARE FEET MORE OR LESS.

**GRANTEE** will repair or replace any fences, pavement, and/or other appurtenances damaged or removed during construction. Upon completion of said construction and improvement, **GRANTORS** shall have full free and uninterrupted use and possession of said temporary construction easement and the easement rights therein shall cease and no longer be in effect.

**GRANTORS** make no warranties, expressed or implied to **GRANTEE**.

IN WITNESS WHEREOF the parties have hereunto of Corvary, 20/6.	set their names to the foregoing, this $/\mathcal{OH}$ day
CITY OF GLADSTONE	GRANTOR(8):
By Kirk Davis, City Manager	Marcin Veranka, Member
Attest: Ruth EBOCChuro 3 /2	5/16

# **GRANTORS' ACKNOWLEDGMENT**

STATE OF New York SS.	
On this day of February personally appeared Warrank described herein and who executed the foregoinacknowledged that he executed the same as the	, 20 16, before me, the undersigned Notary Public, to me personally known to be the person ing instrumentation on behalf of Randall Court Ventures, LLC and e free act and deed of said corporation.
IN WITNESS WHEREOF, I have hereunto	set my hand and affixed by Notarial Seal at my office in the day and year last above written.
Notary Public State of New Yorks	Notary Public Within Said County and State
Qualified in Kings County Commission Expires May 27, 20 18	
******************	**********
GRANTE	EE'S ACKNOWLEDGMENT
the City Manager of the City of Gladstone, M foregoing instrument is the corporate seal of the	, 20 //c, before me, this undersigned Notary Public, e personally known, who being by me duly sworn, did say that he is lissouri, a municipal corporation, and that the seal affixed to the e said corporation and that said instrument was signed and sealed City Council, and said City Manager acknowledged said instrument
IN WITNESS WHEREOF, I have here County, Missouri, the day and	eunto set my hand and affixed my Notarial Seal at my office in lyear last above written.
My Commission expires <u>lugust 2, 20</u>	Notary Public Within Said County and State
	PAMELA DEE SMITKA Notary Public - Notary Seal STATE OF MISSOURI

Clay County
My Commission Expires: August 2, 2018
Commission #: 14000994